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OFFICE OF PETITIONS

In re Application of :
Andersson et. al. : DECISION GRANTING
Application No. 10/802,970 : PETITION
Filed: 16 March, 2004 :
Attorney Docket No. 14998US02 :
:

This is a decision on the petition under 37 CFR 1.53, filed on 14 June, 2004, requesting that the above-identified application, including four (4) sheets of drawings be accorded a filing date of 16 March, 2004.

The application was filed on 16 March, 2004. Accordingly, on 1 June, 2004, Initial Patent Examination Division mailed a "Notice of Incomplete Nonprovisional Application" stating that no filing date had been assigned because the application was deposited without drawings, and requiring drawings be filed if necessary. In response, on 14 June, 2004, the present petition was filed, accompanied by four (4) sheets of drawings.

Petitioners assert that the application as filed included four (4) sheets of drawings which were misplaced after receipt at the USPTO. In support, a copy of petitioners' itemized postcard receipt was supplied. The postcard bears an Office date of 03-16-04 and the above-identified application number and itemizes the filing of, *inter alia*, four (4) sheets of drawings.

A review of the record reveals that no sheets of drawings received on 16 March, 2004, are located among the application papers received on that date. However, the evidence is convincing that the application papers deposited on 16 March, 2004, included four (4) sheets of drawings, which were

subsequently misplaced in the Office. Therefore, the application, including four (4) sheets of drawings, is entitled to a filing date of 16 March, 2004.

In view of the above, the petition is granted. No petition fee has been charged and none is due.

The application will be processed with the copy of the four (4) sheet of drawings supplied on 14 June, 2004, as a part of the original disclosure.

The application is being returned to Initial Patent Examination Division for further processing with a filing date of 16 March, 2004, using the application papers filed on that date, and the copy of four (4) sheets of drawings described in the specification supplied with the present petition, and for an indication in Office records that four (4) sheets of drawings were present on filing.

Telephone inquiries should be directed to the undersigned at 703-308-6918.



Douglas I. Wood
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